

Message Text

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ACTION DHA-02

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TAGS: SHUM, PARM, TECH, BR, US
SUBJECT: NEW CRITICISM AGAINST US POSITIONS ON HUMAN
RIGHTS AND NUCLEAR ACCORD

1. SUMMARY. A NEW OUTBREAK OF GOVERNMENT CRITICISM, THIS TIME EMANATING CHIEFLY FROM THE LEGISLATIVE BRANCH, HAS HIT THE US POSITION ON HUMAN RIGHTS. IN SPEECHES DELIVERED MARCH 22-23, THIRD MILITARY REGION COMMANDER SERPA, SENATE PRESIDENT PORTELLA, AND SENATE MAJORITY LEADER REZENDE, LASHED OUT AT US ON HUMAN RIGHTS WITH LATTER TWO CRITICIZING USG POSITION ON NUCLEAR ACCORD, AS WELL. COMMON THEMES WERE BRAZILIAN FIDELITY TO HUMAN RIGHTS, U.S. PAST WHICH DENIES IT THE MORAL STATURE TO ACT AS JUDGE, WIDENED CONCEPT OF HUMAN RIGHTS TO EMBRACE THE ECONOMIC AND SOCIAL CONDITIONS ESSENTIAL TO HUMAN DIGNITY, THE HYPOCRISY OF SANCTIMONIOUS INDUSTRIALIZED COUNTRIES WHICH VIOLATE THOSE HUMAN RIGHTS BY PRESERVING AN UNJUST INTERNATIONAL ECONOMIC ORDER AND IMPEDING THIRD
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WORLD ACCESS TO TECHNOLOGY (READ TO INCLUDE NUCLEAR) FOR PEACEFUL DEVELOPMENT, AND THE WILL TO HEGEMONY WHICH UNDERLIES SUCH ACTIONS AND IS MASKED BY HUMAN RIGHTS RHETORIC. LATEST SPEECHES IMPLY SOME SHIFT OF BURDEN FOR PROPAGANDA DEFENSE AGAINST US INITIATIVES FROM EXECUTIVE TO LEGISLATIVE BRANCH, AND BROADENING OF THE TERMS OF REFERENCE IN THAT DISPUTE TO LINK THE HUMAN RIGHTS QUESTION TO ALLEGED US NON-RESPONSIVENESS

ON NORTH-SOUTH ISSUES. END SUMMARY.

2. NEW OUTBREAK OF GOVERNMENT (MOSTLY LEGISLATIVE BRANCH) CRITICISM HAS ARISEN AGAINST U.S. FOR ITS POSITION ON HUMAN RIGHTS AND GOB/FRG NUCLEAR ACCORD. FIRST ITEM WAS A SPEECH DELIVERED MARCH 22 TO PORTO ALEGRE MILITARY HIGH SCHOOL STUDENTS BY THIRD MILITARY REGION COMMANDER GEN. ANTONIO SERPA. AT ONE POINT, SERPA COUNSELLED ALERTNESS TO SOVIET GAINS, INCLUDING TREATY OF HELSINKI, BY WHICH U.S. ALLEGEDLY AATIFIED SOVIET CONQUEST OF EASTERN EUROPE. "AND THINK," HE CONTINUED "WHAT PRESIDENT CARTER'S STATEMENT, WHILE STILL A CANDIDATE, MEANS TO YUGOSLAV YOUTH: GUARANTEEING THAT, IF RUSSIA INVADES YUGOSLAVIA, HE WILL HAVE NOTHING TO DO WITH THIS." LATER IN SPEECH, SERPA REVIEWED LONG HISTORY OF BRAZILIAN CONCERN FOR HUMAN RIGHTS, CONCLUDING THAT "ALL THIS DEMONSTRATES THAT OUR COUNTRY DOES NOT NEED TO RECEIVE FROM ANYONE CLASSES OR LESSONS ON THE DEFENSE OF HUMAN RIGHTS. THE DEFENSE OF HUMAN RIGHTS IS OUR TRADITION, WHICH THE ARMY CAREFULLY PRESERVES."

3. SAME DAY, IN WHAT WE UNDERSTAND WERE LAST MINUTE ADDITIONS TO REMARKS PREPARED FOR DELIVERY AT OPENING OF ACADEMIC YEAR OF UNIVERSITY OF BRASILIA LAW SCHOOL, SENATE PRESIDENT PETRONIO PORTELLA TOOK INDIRECT, BUT UNMISTAKABLE AIM AT U.S. PORTELLA OBSERVED THAT TO THE STRONG WHO IMPOSE RULES OF TRADE DESIGNED TO PROTECT THEMSELVES, ETHICS GIVE WAY TO INTEREST WHEN IT IS A CASE OF THE TWO-THIRDS OF HUMANITY LIVING IN MISERY AND DENIED HUMAN RIGHTS AND UN CHARTER BENEFITS BY AN INIQUITOUS AND EXPLOITATIVE INTERNATIONAL ORDER. "INSTEAD OF IMPROPER LIMITED OFFICIAL USE

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INTROMISSIONS IN THE LIFE OF OTHER NATIONS ON THE PRETEXT OF HUMANITARIAN OBJECTIVES," PORTELLA WENT ON, "WOULD THAT THEY HALT IN THEIR OWN DOMAINS THE SOURCE OF UNJUST EXCHANGES RESPONSIBLE FOR THE HUNGER OF MANY DOZENS OF COUNTRIES, THAT IS, THE SYSTEMATIC DENIAL OF HUMAN RIGHTS." SOVEREIGNTY, DECLARED PORTELLA, IS DENIED IN THE NAME OF ECONOMIC AND MILITARY HEGEMONY, AND "STATES CANNOT HAVE ACCESS TO NUCLEAR ENERGY FOR PEACEFUL PURPOSES BECAUSE THOSE WHO APPLY THIS TECHNOLOGY MASSIVELY FOR MILITARY ENDS CONSIDER THEMSELVES THE ONLY FIT AND EXCLUSIVE OWNERS, ASSUMING THE FUNCTION OF POLICING THE WORLD." COMMENTS WERE VIGOROUSLY APPLAUDED BY AUDIENCE WHICH INCLUDED LEADING LEGISLATORS, EXECUTIVE BRANCH REPRESENTATIVES, AND NUMEROUS JUDGES FROM MILITARY AND CIVIL COURTS.

4. SAME BASIC THEMES WERE VENTED FOLLOWING DAY, IN PHILIPPIC DELIVERED IN SENATE BY MAJORITY LEADER EURICO REZENDE. REZENDE TOOK AS POINT OF DEPARTURE PRESIDENT CARTER'S UN SPEECH, NOTING THAT CARTER'S REFERENCE TO "GLOBAL CHARACTER" OF LATIN AMERICAN PROBLEMS PRESUMABLY MEANS THE PROJECTION OF US

NATIONAL INTERESTS, INCLUDING HUMAN RIGHTS. BRAZIL, DECLARED REZENDE, ACCEPTS INTERNATIONAL CONCERN AND COOPERATION ON HUMAN RIGHTS, BUT LOOKS WITH CAUTION ON EFFORTS OUTSIDE ACCEPTED INTERNATIONAL FORA, WHICH COULD GIVE RISE TO ARBITRARY ACTS AND ENDANGER A HARMONIOUS INTERNATIONAL ORDER BASED ON NON-INTERFERENCE AND MUTUAL RESPECT AMONG STATES. BRAZIL CANNOT ACCEPT HUMAN RIGHTS EXAMINATIONS OR SANCTIONS BY ANOTHER STATE EVEN WERE IT CONFIDENT OF THE PURE MOTIVES AND MORAL STATURE OF THAT STATE TO EXERCISE SUCH FUNCTIONS. ONLY DULY ACCREDITED AND REPRESENTATIVE INTERNATIONAL ORGANS, ACTING ON CLEAR AND ACCEPTED JURIDICAL BASES, WOULD BE COMPETENT TO ADDRESS ALLEGED VIOLATIONS. INDEED, CONTINUED REZENDE, BRAZIL AND OTHER LDC'S IN UNCTAD HAVE ARGUED FOR THE BINDING NATURE OF UNCTAD RESOLUTIONS, BECAUSE SUCH RESOLUTIONS, WHICH WOULD ASSIST THE ECONOMIC DEVELOPMENT ESSENTIAL TO A QUALITY OF LIFE FOR DEVELOPING PEOPLES COMPATIBLE WITH FUNDAMENTAL HUMAN RIGHTS, HAVE REPEATEDLY BEEN IGNORED BY MANY OF THE DEVELOPED COUNTRIES THAT VOTED FOR LIMITED OFFICIAL USE

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THEM. BECAUSE REALIZATION OF SUCH HUMAN RIGHTS WOULD NECESSITATE ECONOMIC CONCESSIONS, SOME PROSPEROUS COUNTRIES HAVE MAINTAINED THAT THE RESOLUTIONS HAVE ONLY A MORAL FORCE.

5. REZENDE CHARGED THAT "IT IS EXACTLY ONE OF THE COUNTRIES MOST OPPOSED TO THE BINDING NATURE OF UNCTAD RESOLUTIONS, AND WHICH MOST INSISTS ON THE PRIVILEGE OF THE VETO IN THE SECURITY COUNCIL, WHICH TODAY WANTS TO ATTRIBUTE TO ITSELF THE RIGHT TO JUDGE THE ACTS OF OTHER GOVERNMENTS." BRAZIL, HE DECLARED, ACCEPTS INTERNATIONAL DISCUSSION OF HUMAN RIGHTS, BUT REJECTS A CONCEPT OF THEM RESTRICTED TO CONCERN OVER ABUSIVE PRACTICES AND THE EXERCISE OF CIVIL LIBERTIES. "IT IS UNSATISFACTORY BEHAVIOR TO GIVE EMPHASIS ONLY TO THOSE POINTS IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS WHICH BEST SERVE THE

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POLITICAL OBJECTIVES OF SOME COUNTRIES." YET WORSE, HE CONTINUED, ARE THOSE GOVERNMENTS WHICH GIVE RHETORICAL SUPPORT TO THE DECLARATION YET SEEK "TO IMPEDE THE EFFORTS OF OTHER PEOPLES IN THE STRUGGLE FOR ECONOMIC PROGRESS AND SOCIAL WELL-BEING." HUMAN RIGHTS DEPEND UPON ECONOMIC AND SOCIAL CONDITIONS FOR THE FREE DEVELOPMENT OF THE PERSONALITY, AND UPON A JUST INTERNATIONAL ORDER, "WHICH ASSURES THE SOVEREIGN RIGHT OF A PEOPLE TO FREELY SEEK ABROAD THE COOPERATION THAT THEY JUDGE NECESSARY FOR THEIR PROCESS OF ... DEVELOPMENT." THE STRUGGLE FOR INTERNATIONAL SUPREMACY, HE DECLARED, LEADS TO GREAT POWER ASSAULTS ON HUMAN RIGHTS; ONE COUNTRY HAS SUDDENLY SOUGHT TO EXORCISE ITS OWN DEMONS BY SITTING IN JUDGMENT OVER OTHER PEOPLES, WHEN IT WOULD DO BETTER TO LOOK TO ITS OWN BEHAVIOR. NEVER HAVING SYSTEMATICALLY PRACTICED RACIAL DISCRIMINATION, CONCEALED CRIME ORGANIZED ON A NATIONAL SCALE, OR USED ESPECIALLY CRUEL WEAPONS SUCH AS NUCLEAR BOMBS, BRAZIL CAN WELL REJECT LESSONS CONTRADICTED BY THE PRACTICE OF THOSE WHO DELIVER THEM. PRESIDENT CARTER, HE CONCLUDED, HAS ALREADY LIMITED OFFICIAL USE

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HAD TO QUALIFY, INDEED NEGATE, HIS HUMAN RIGHTS POSITIONS IN THE FACE OF THE COMPLEXITY OF THE ISSUES INVOLVED. THE IMPOSITION OF PRIVATE SOLUTIONS ON A UNIVERSAL SCALE IS INSUPPORTABLE, AND IT WOULD BE A PITY IF AFTER TWO THOUSAND YEARS, THE WESTERN WORLD HAD ONCE MORE TO CONCLUDE THAT PEACE AMONG PEOPLES IS ONLY POSSIBLE BY SUBORDINATION TO THE DESIRES OF ROME.

6. FOLLOWING SPEECH, CHAMBER OF DEPUTIES MAJORITY LEADER JOSE BONIFACIO PROCLAIMED THAT "POLITICAL UNITY DERIVES EXACTLY FROM THE HARMONIOUS DECLARATIONS BEING MADE WITH REGARD TO THE INTERVENTION OF THE UNITED STATES." AT SAME TIME, BONIFACIO CRITICIZED THE "ANTI-BRAZIL" STANCE OF MDB SENATOR MARCOS FREIRE, WHO DELIVERED SPEECH ON MARCH 22 DENOUNCING AI-5 AS A SOURCE OF VIOLATIONS OF HUMAN RIGHTS, THE LATTER BEING A MATTER WHICH TRANSCENDS NATIONAL BOUNDARIES AND FOR WHICH BRAZIL OWES AN ACCOUNTING TO THE INTERNATIONAL COMMUNITY. FREIRE DECLARED THAT

UNIFIED AND BIPARTISAN CONGRESSIONAL SUPPORT RENDERED GOB ON THE NUCLEAR ACCORD AND DENUNCIATION OF US/BRAZIL MILITARY ACCORD WAS A SIGN OF COUNTRY'S INTERNAL UNION, POLITICAL MATURITY, AND RADINESS FOR DEMOCRATIC REFORMS; HE ADDED THAT IN SEEKING ITS OWN POLITICAL MODEL, BRAZIL SHOULD NONETHELESS CONSTRUCT IT ON BASIS OF UNIVERSAL DECLARATION OF HUMAN RIGHTS.

7. ESTADO DE SAO PAULO REPORTED THAT AREANA SPEECHES MEANT THAT LEGISLATIVE BRANCH, WHICH UNTIL NOW HAD MOSTLY APPLAUDED PRESIDENT GEISEL'S ACTIONS AGAINST US INTERFERENCE, WAS NOW ASSUMING DIRECT ROLE IN REPELLING FOREIGN INTRUSION. ESTADO, WHICH TOOK NOTE OF THEMATIC SIMILARITY OF PORTELLA'S AND REZENDE'S COMMENTS, SAW SPEECHES AS INSPIRED BY FOREIGN MINISTRY OR PRESIDENT'S OFFICE, WITH RENEWED OFFENSIVE DESIGNED TO GIVE IMPRESSION ABROAD OF NATIONAL UNITY AND SOLIDARITY OF EXECUTIVE AND LEGISLATIVE BRANCHES ON THE ISSUE. FOLHA DE SAO PAULO ALSO REPORTED THAT SENATOR REZENDE'S SPEECH WAS GIVEN TO HIM BY THE PRESIDENT'S OFFICE AND IT NOTED THAT WORDING WAS REMINISCENT OF PAST STATEMENTS BY FOREIGN MINISTER SILVEIRA.

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8. EDITORIAL REACTION HAS BEEN MIXED. JORNAL DO BRASIL OF MARCH 23 LAMENTED FACT THAT PORTELLA HAD BEEN ATTRACTED TO A RATIONALE AGAINST U.S. HUMAN RIGHTS INITIATIVES WHICH WAS PARALLEL TO PREVIOUS DAY'S REMARKS BY SOVIET LEADER BREZHNEV. BREZHNEV'S DEFENSE OF A NATIONAL SOVEREIGNTY SUPPOSEDLY THREATENED BY OUTSIDE MOVEMENTS ON BEHALF OF HUMAN RIGHTS, WAS SOPHISTRY IN VIEW OF SOVIET USE OF INFILTRATION FOR EXPANSIONIST AIMS. FOR HIS PART, PORTELLA CONFUSED THE RIGHT TO LIFE AND PROGRESS WITH ANOTHER INALIENABLE RIGHT, THAT OF RESPECT FOR THE HUMAN PERSON; ONCE FED, A INDIVIDUAL SHOULD NOT HAVE TO ABDICATE HIS WON WILL. FORTUNATELY, CONCLUDED JORNAL, PORTELLA CAN COMPREHEND HIS ERROR, WHILE BREZHNEV NEVER COULD.

9. CORREIO BRASILIENSE EDITORIAL OF MARCH 24 LAUDED PORTELLA'S SPEECH AND SAW US INTENTION NOT AS WORLD REORDERING ENVISAGED BY UN CHARTER, BUT THE DESTRUCTION OF WORLD ORDER, OFFERING NO OPTION BUT UNCONDITIONAL SURRENDER. WHAT UNDERDEVELOPED WORLD WANTS, DECLARED CORREIO, IS NOT US PRESIDENT'S CONCERN OVER ITS BEHAVIOR IN DEFENSE OF ITS OWN INTERESTS AND PEOPLES, BUT A PIECE OF BREAD, EARNED NOT BY AID WHICH DISGUISES THE ACTION OF LARGE FINANCIAL INTERESTS, BUT BY INDIGENOUS EFFORT.

10. E O ESTADO EDITORIAL OF MARCH 25 INTERPRETED PORTELLA AND REZENDE SPEECHES AS PART OF PLANALTO-INSPIRED STRATEGY TO REACH A NEW "DETENTE" BY THE USE OF BREZHNEV-LIKE ARGUMENTS; AND TO FOLLOW THAT BY A CAMPAIGN FOR NATIONAL UNITY WHICH WOULD OBFUSCATE

THE DESIRE OF THE PEOPLE FOR SOVEREIGNTY. THE SPEECHES, CONTINUED ESTADO, SUGGESTED THAT LIBERTIES ARE A PREMATURE LUXURY WHICH BRAZIL WILL ONLY ADOPT WHEN TRADE RULES ARE MODIFIED. HUMAN RIGHTS, DECLARED ESTADO, DO GO BEYOND CIVIL LIBERTIES, BUT WORLD HUNGER AND UNJUST TRADE RELATIONS SHOULD NOT BECOME AN "ALIBI" FOR NEGLECTING THE DEFENSE OF WHAT IS SPECIFICALLY HUMAN. MOREOVER, IF THE WORLD ORDER FOR WHICH THE TWO LEGISLATORS CLAMORED IS TO BE FOUNDED ONLY ON THE PRINCIPLE OF NON-INTER-LIMITED OFFICIAL USE

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REFERENCE, IT IS THE SORT OF ORDER ADVOCATED BY BREZHNEV, BASED ON A RATIONALE WHICH WOULD HAVE CONDEMNED INTERNATIONAL CONCERN FOR THE JEWS OF NAZI GERMANY, FOR DREYFUS AND FOR SACCO AND VANZETTI, AND WOULD NEGATE THE CURRENT GOB POSITION ON APARTHEID IN SOUTHERN AFRICA. THE SPEECHES, CONCLUDED O ESTADO, SUGGESTED THAT BRAZIL DEFENDS ITSELF NOT BY DISPROVING THE ACCUSATIONS, BUT BY INSINUATING THAT IT IS GUILTY OF A LESSER CRIME, AS SEEN IN THE LIGHT OF ITS OWN STANDARDS. BETTER THAT BRAZIL REMAIN OUTSIDE THE "SOVEREIGNTY OF OPPRESSION" WHICH CHARACTERIZES THE BREZHNEV REGIME, LEST IT PAY THE KIND OF RHETORICAL SUPPORT TO THE UNIVERSAL DECLARATION WHICH IT TODAY IMPUTES TO THE U.S.

11. COMMENT. CLEARLY THE STATEMENTS OF BOTH SENATE LEADERS ON THE US ROLE WERE DIRECTED IF NOT DRAFTED BY THE EXECUTIVE BRANCH. BY USING THE COMPLIANT ARENA LEADERS OF THE LEGISLATIVE BRANCH TO CARRY ON THE OFFENSIVE, PRESIDENT GEISEL AND EXECUTIVE BRANCH MAKE POSSIBLE A CONTINUED FLOW OF DEFIANT, NATIONAL UNITY RHETORIC DIRECTED AT WASHINGTON WITHOUT HAVING TO TAKE DIRECT RESPONSIBILITY FOR IT. MEANWHILE, THE EXECUTIVE CAN RESUME FOR THE TIME BEING AN AIR OF PURPOSEFUL SERENITY AND BUSINESS-AS-USUAL. WE ALSO SEE THE OFFENSIVE AS A RESPONSE TO PRESIDENT CARTER'S UN SPEECH AS WELL AS AN ATTEMPT TO OVERCOME THE IMPRESSION LEFT BY THE LUKEWARM STATEMENTS OF A NUMBER OF OPPOSITION LEGISLATORS THAT THE CONGRESS DOES NOT FULLY SUPPORT THE EXECUTIVE'S SENSE OF OUTRAGE ON THE HUMAN RIGHTS REPORT. WHILE GOB IN THE PAST HAS TIED TRANSFER OF NUCLEAR TECHNOLOGY TO NORTH-SOUTH CONFLICT, THE PORTELLA AND REZENDE STATEMENTS SEEING HUMAN RIGHTS VIOLATIONS IN US UNRESPONSIVENESS ON INTERNATIONAL TRADE AND TECHNOLOGY ISSUES ARE A NEW DEPARTURE IN DEBATE, THOUGH ONE WHICH REFLECTS GOB'S KNOWN VIEWS ON NORTH-SOUTH ISSUES.

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